



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF LANDSCAPE ARCHITECTURE**

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|-------------------------|---|
| PUBLIC MEETING MINUTES: | <b>BOARD OF LANDSCAPE ARCHITECTURE</b>                                  |
| MEETING DATE AND TIME:  | <b>Thursday, August 14, 2014 at 9:00 a.m.</b>                           |
| PLACE:                  | Conference Room B, Cannon Bldg,<br>861 Silver Lake Blvd Dover, DE 19904 |
| MINUTES FOR APPROVAL:   |   |

**MEMBERS PRESENT**

Eric Wahl, Board President  
Jeffrey Seemans, Professional Member, Secretary  
Rachel Dunning, Public Member, Treasurer  
William Bullock, Public Member  
Jeff Clark, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Jennifer Singh, Deputy Attorney General  
Lisa Smith, Administrative Specialist II  
David Mangler, Division Director

**OTHERS PRESENT**

Andrew Hayes

**CALL TO ORDER**

Mr. Wahl called the meeting to order 9:00 a.m.

**REVIEW OF MINUTES**

The Board reviewed the minutes of the May 8, 2014 meeting. Ms. Dunning made a motion, seconded by Mr. Wahl, to approve the minutes with minor changes. By unanimous vote, the motion carried.

**New Business**

**Ratification of Application(s) by Reciprocity**

Ms. Dunning made a motion, seconded by Mr. Seemans to ratify the application for licensure by reciprocity for Mr. Kevin J. Tankersley. By unanimous vote, the motion carried.

### **Review of Hearing Officer Recommendations**

Mr. Wahl read aloud each of the five Recommendations submitted by the Hearing Officer.

Ms. Singh explained to the Board members that they are bound by the Hearing Officers findings of fact and that they are free to amend the legal conclusions that were reached by the by the Hearing Officer, as well as the recommended conclusions.

Ms. Dunning made a motion, seconded by Mr. Seemans to accept the Hearing Officer Recommendations in reference to Justin DiPietro and Andrew C. Durham. By unanimous vote the motion carried.

Mr. Mangler introduced himself to the Board members and explained the process which would be used in order for the five licensees referred to at this meeting to again be chosen for audit during the January 2015 Landscape Architect renewal period.

Ms. Singh gave an explanation concerning the Statute which was passed in 2012 that created the position of the Hearing Officer. If there are disciplinary actions, including failure to complete CE's, licensees will be required to come before the Board for a Hearing.

Mr. Wahl read the recommendation for Jason Elwell which listed a \$500 fine. Ms. Singh explained that the Board of Landscape Architects does not have the statutory authority to impose a fine in any dollar amount. Ms. Dunning made a motion seconded by Mr. Clark to accept the Hearing Officer Recommendation for Jason Elwell with the exception of the \$500 fine. By unanimous vote, the motion carried.

Ms. Dunning made a motion seconded by Mr. Clark to accept the Hearing Officer Recommendation for John G. Fellows with the exception of the \$150 fine. By unanimous vote, the motion carried.

Mr. Clark made a motion seconded by Ms. Dunning to accept the Hearing Officer Recommendation for Robert Maloney with the exception of the \$250 fine. By unanimous vote, the motion carried.

### **Unfinished Business**

The Board members discussed the "Proposed Changes to Regulation 7.0" document which was distributed to them prior to the meeting. Mr. Seemans also distributed a document which he prepared to be reviewed by the other Board members. Mr. Seemans document refers to section 7.1.2.2, stating that this regulation should allow licensees to request pre-approval of CE courses without needing to wait for a quarterly Board meeting. If the Board approves the course, it can be added to Reg. 7.1.3 as part of a list that licensees can refer to.

The Board members reviewed and discussed the final revision of Regulation 7.0.

Mr. Wahl made a motion which was seconded by Ms. Dunning to accept the proposed changes to Regulation 7.0 as revised. By unanimous vote, the motion carried.

The proposed Regulation will be forwarded to the Register of Regulations for publication in September. There will be a Public Hearing on November 14, 2014 at the next scheduled Board meeting for the public to comment on the proposed changes.

### **Other Business before the Board**

Ms. Sing explained House Bill 320 which requires that boards who meet four or less times per year to post draft minutes online within 20 business days after the conclusion of the Board meeting.

The minutes will still need to be approved at the following Board meeting.

**Public Comment**

Mr. Andrew Hayes sat before the Board with questions pertaining to the qualifications needed to become a licensed Landscape Architect in Delaware. Once Mr. Hayes described his education and experience, the Board members explained that since he has earned a degree from an accredited college he will only need to sit for, pass all sections of the CLARB Exam and then submit a Landscape Architect application to the Division to become licensed.

Mr. Hayes requested to speak with the Board for a second time concerning the two years of supervision which is required for licensure in Delaware. Ms. Singh and the Board members discussed introducing statutory changes to the Bill.


**Next Meeting Date**

The Board will hold the next scheduled meeting on November 13, 2014 at 9:00 a.m., in Conference Room "B" of the Cannon Bldg., 861 Silver Lake Blvd., Dover, Delaware.

**Adjournment**

Mr. Wahl made a motion seconded by Mr. Clark, to adjourn the meeting. The meeting was adjourned at 10:48a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lisa Smith".

Lisa Smith  
Administrative Specialist II  
Board of Landscape Architects